

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

VOLVO TRADEMARK HOLDING AB, *et al.*,

Plaintiffs,

-v-

THE UNINCORPORATED ASSOCIATIONS
IDENTIFIED IN SCHEDULE A,

Defendants.

Civil Action No. 1:19-cv-974
Hon. Liam O’Grady

ORDER

Before the Court is Plaintiff’s Motion for Default Judgment. Dkt. 56. Judge Nachmanoff issued a Report & Recommendation on November 13, 2019. Dkt. 61. The Court has reviewed the pleadings in this case, as well as the Report & Recommendation, and hereby **APPROVES** and **ADOPTS** the findings of Judge Nachmanoff.


The Court finds adequate support for relief under Count I – Trademark Infringement and Counterfeiting, Count II – False Designation of Origin, and Count III – Trademark Dilution. Pursuant to the Lanham Act, Plaintiffs elect statutory damages of up to \$2,000,000.00 for willful infringement, per mark infringed. 15 U.S.C. § 1117(c). While Plaintiffs refer to “Volvo Trademarks,” “distinctive marks,” and “emblems” throughout the pleadings, Judge Nachmanoff properly notes that, “[t]hroughout the record, plaintiffs have failed to identify which specific marks defendants are infringing.” Dkt. 61 at 16. The Court thus agrees that the appropriate award of statutory damages is \$2,000,000.00.

As such, Plaintiff's Motion for Default Judgment is hereby **GRANTED**, and default judgment shall enter for Plaintiff in accord with the following:¹

1. Permanent injunctive relief enjoining Defendants from making, using, selling, or offering for sale unauthorized products containing the Volvo trademarks;
2. Statutory damages under the Lanham Act in the amount of \$2,000,000.00;
3. PayPal, Inc.'s release to Plaintiffs the monies currently restrained in Defendants' financial accounts as partial payment of the identified damages within five business days of the date of this Order;
4. Until Plaintiffs have recovered full payment of the amount owed by any Defendants, ongoing authority to Plaintiffs to serve this Order on PayPal, Inc. in the event that any new PayPal accounts controlled or operated by Defendants are identified. Upon receipt of this Order, PayPal, Inc. shall, within two business days: locate all accounts and funds connected to Defendants or their internet stores; restrain and enjoin such accounts or funds that are not U.S.-based from transferring or disposing of any money or other of Defendants' assets; and release all monies restrained in Defendants' PayPal accounts to Plaintiffs as partial payment of the above-identified damages within ten business days of receipt of this Order.

It is **SO ORDERED**.

December 30, 2019
Alexandria, Virginia



Liam O'Grady
United States District Judge

¹ Plaintiffs did not request an award of attorneys' fees and costs in the motion for default judgment, and such relief is not awarded at this time.